

**CITY OF DELTONA, FLORIDA  
PLANNING & ZONING BOARD MEETING  
WEDNESDAY, FEBRUARY 19, 2014**

A Regular Meeting of the Deltona Planning and Zoning Board was held on Wednesday, February 19, 2014, in the City's Commission Chambers located at 2345 Providence Boulevard, Deltona, Florida.

**1. CALL TO ORDER:**

The meeting was called to order at 7:00 p.m. by Chairman McKnight.

**2. ROLL CALL:**

Chairman	David McKnight	Present
Member	Victor Ramos	Present
Vice-Chairman	Tom Burbank	Present
Member	Wendy Hickey	Present
Member	Noble Olasimbo	Present
Member	Adam Walosik	Present
Member	Herb Zischkau	Absent-Unexcused

Also present: Planning & Development Director, Chris Bowley, AICP; Assistant Director of Planning and Development, Ron Paradise; City Attorney, Becky Vose; Administrative Assistant, Kathrine Kyp.

**3. APPROVAL OF MINUTES:**

**A. Minutes:**

**1. Meeting – January 19, 2014.**

**Motion by Member Burbank, seconded by Member Olasimbo to adopt the minutes of the Planning & Zoning Board Meeting of January 19, 2014, as presented.**

**Motion carried unanimously.**

**4. PUBLIC COMMENTS: None**

**5. OLD BUSINESS: None**

**6. NEW BUSINESS:**

**B. RZ13-009, Amendment to the Official Zoning Map (Ordinance No. 04-2014).**

Chairman McKnight moved item on the agenda due to it being moved to the March 19, 2014, Planning and Zoning Board meeting.

**A. RZ13-008, BPUD Rezoning for the Saxon-Sterling Silver (Ordinance No. 02-2014).**

Member McKnight opened the floor to the City Attorney; Becky Vose, Esq. Ms. Vose addressed the Board regarding any potential ex-parte communication with regard to the hearing. Ms. Vose requested the Board address and summarize any communications aloud. All members stated that no communication has been executed, other than the two letters received from the applicant when they arrived at the hearing.

Mr. Bowley presented a summary of existing entitlements and proposed options for the application, by reviewing the existing 2006 Development Agreement. Mr. Bowley spoke on the points of the proposed Development Agreement, as compared to the existing 2006 Agreement. The 2006 Agreement established a development program and development rights, which are vested under the current MPUD.

Mr. Paradise presented a summary of the BPUD application with regard to land use compatibility and traffic safety. Discussion ensued between the Member Burbank and staff regarding clarification of the LOS standards noted within the Staff Report of segments of Saxon Boulevard. Member Burbank said, according to the Staff Report, the proposal to update the MDP is consistent with the Comp Plan. He stated the Comp Plan FLU 1-7.25 says the City shall require that development be consistent with the Urban Design Pattern Book. Within the book, it states that all signalized intersections should have mast arms, unless waived by the Development Review Committee. Within the updated Agreement, it states development can have the string-wire signal. Member Burbank asked why is it not stated in the agreement now? Mr. Paradise said the intent was to work with the applicant to facilitate some level of development.

Member Olasimbo asked if the applicant addressed the memo from GMB Engineers, due to the extensive outstanding issues. Mr. Paradise responded that they did not update the TIA to-date. Conversation ensued between Board Members and staff regarding vehicular and pedestrian traffic around the development and Saxon Boulevard.

Member Walosik made comments regarding pedestrian connectivity and the lack of staff's restrictions on the pathways around the residential areas into the developments. Conversation ensued between Member Walosik and staff regarding sidewalks. Mr. Bowley described the existing sidewalk conditions and that the required 8-ft. wide sidewalks were constructed along Alabaster Way and Sterling Silver Boulevard. The required 8-ft. wide sidewalk along Saxon Boulevard was only constructed to be 5-ft. wide and needs an extra 3ft. added to it. Member Walosik stated that sidewalks should be extended along the retirement lot.

Alex Ford, on behalf of the applicant, provided a slide-show presentation to the Board regarding the changes within the proposed Development Agreement and within the MDP; as compared to the 2006 version by using a matrix of points to address. A copy of the matrix document was submitted to the Board and staff.

Mr. Ford said that in regards to the right in/right out on Saxon Blvd., that on Tuesday, a deal was reached with the Saxon Medical Plaza to the south that granted an easement from them to allow



1 for a joint access connection. This change, will change the traffic patterns, require an update to the  
2 TIA, and be subject to Volusia County's approval.

3  
4 Chairman McKnight called for a ten minute recess, reconvened, and then opened the public  
5 hearing.

6  
7 John Pike, 1032 Pearl Tree Rd, Deltona FL, mentioned a petition of 470 signatures going around  
8 regarding the rezoning. He stated that the majority of the residents moved to the neighborhood for  
9 a bedroom community and not to be around retail sales. He requested that the motion be a "no"  
10 vote. He also made recommendations for alternative zonings, by recruiting a rehabilitation facility  
11 and a building provided for extended housing for seniors, who can no longer take care of  
12 themselves.

13  
14 Member Burbank made a comment to reinforce that there are existing entitlements on the property  
15 already to accommodate a store of this size and that it could be developed as proposed. Member  
16 Walosik also noted that the zoning is already in place and that the job of the Board is to make sure  
17 that the development plan can fit into the neighborhood without making a big impact on  
18 residential areas. He also said that it is possible to have a commercial mixed-use development with  
19 good pedestrian connectivity and a safe environment.

20  
21 John Cucura, 1090 Pearl Tree Rd, Deltona FL, addressed the Board regarding the proposed  
22 rezoning and has concerns about the Sterling Court Retirement Community. He said that the  
23 environment and traffic impacts would affect resident's health and safety.

24  
25 Daniel Dudley, 1089 Pearl Tree Rd, Deltona FL, talked about the children who walk or ride to  
26 Spirit Elementary and the impact of the traffic and safety hazards that commercial retail stores  
27 would bring to the neighborhood. He also addressed, one-way in and one-way out to the  
28 neighborhood and the fact there are more phases planned for development for the area, which  
29 would increase traffic as well.

30  
31 David Dawson, 1698 Sterling Silver Blvd, Deltona FL, president of the homeowner's association,  
32 spoke regarding their position on the rezoning. He said that their position is against the rezoning,  
33 as it would have a negative effect on the safety, quality-of-life, and property values on them. He  
34 requested that the existing zoning on Lots 2 and 4 remain the same.

35  
36 Peter McNicol, 1041 Pearl Tree Rd, Deltona FL, addressed the traffic issue and asked how the  
37 City proposes to address incoming and outgoing traffic.

38  
39 Shirley Toka, 1001 Alabaster Way, Deltona FL, addressed the Board regarding the concerns from  
40 the Sterling Court Retirement Community. She said that she values the mobility of the residents,  
41 who walk their animals in the area, some people in electric chairs would be impacted, and they  
42 would be concerned with the increased traffic.

43  
44 Theresa Brazee, 1057 Platinum Court, Deltona FL, addressed the increase traffic and danger  
45 related to the rezoning application. She spoke on potential jobs that would be incoming from a  
46 fast-food restaurant and a Wal-Mart store, and expressed that these are not the high-wage jobs that  
47 the neighborhood wants for their kids. She suggested that a Wal-Mart be moved to the Deltona

1 Plaza.

2  
3 Harvey Oretzky, 1671 Emerald Green Court, Deltona FL, spoke of what he and others were told  
4 specifically when they purchased the homes. That the lots around them would be developed for  
5 medical use, medical buildings, and doctor's offices. He stated that he's aware of the existing  
6 zoning.

7  
8 Chairman McKnight closed the public hearing and then asked if the applicant would like to add  
9 anything after hearing the public comments. Mr. Ford requested that if the Board was not ready to  
10 vote tonight, that the vote would be time-certain of one month in the future to avoid re-advertising.  
11 Conversation ensued regarding the lots already being zoned for commercial, traffic concerns, and  
12 pedestrian connectivity. Member Walosik again expressed his concerns regarding the traffic  
13 issues.

14  
15 **Motion by Member Burbank, seconded by Member Walosik, to recommend that the City**  
16 **Commission deny, RZ13-008, BPUD Rezoning for the Saxon-Sterling Silver, Ordinance No.**  
17 **02-2014.**

18  
19 **Motion carries with members voting as follows: Member Walosik, for; Member Olasimbo,**  
20 **against; Member Ramos, for; Chairman McKnight, for; Member Hickey, for; and Member**  
21 **Burbank, for.**

22  
23 **7. DISCUSSION:**

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25 **A. By the Board:**

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27 Chairman McKnight readdressed the issue regarding the attendance of Member Zischkau;  
28 Secretary Kyp stated that the last two meetings, Member Zischkau has been unexcused and recalls  
29 one other one. Mr. Bowley said he would follow up with the City Clerk.

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31 **B. By the City Attorney: None**

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33 **C. By Planning & Development Staff: None**

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35 **8. ADJOURNMENT:**

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37 There being no further business, the meeting adjourned at 10:12 p.m.

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41 **ATTEST:**

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**Kathrine Kyp, RECORDING SECRETARY**

  
**David McKnight, CHAIRMAN**